

California Fair Political Practices Commission
advice@fppc.ca.gov
**Information on Filing Form 700 for Filers Affected by the
Government Reorganization Plan**

The Political Reform Act ("Act") requires each state agency to adopt a conflict of interest code which lists the job classifications within the agency that must file a Statement of Economic Interests ("Form 700"). The Fair Political Practices Commission ("FPPC") administers the Act, which includes approving the codes for all state agencies and providing regulatory advice on the filing requirements associated with the Form 700. (Government Code Sections 81000-91015)

Effective July 1, 2013, some state executive branch agencies will be reorganized pursuant to Governor Brown's Government Reorganization Plan ("Plan"). Questions have arisen concerning how the Plan will affect state agencies' duties to maintain and update their conflict of interest codes and their designated employees' duties in filing Form 700.

Under the Plan, the FPPC is not requiring an individual serving in an existing position to file a leaving office or an assuming office Form 700 if the individual will perform essentially the same duties for another agency.

The FPPC will be asking all state agencies affected by the Plan to submit code amendments as soon as possible so that the codes will accurately identify the changed circumstances before January 1, 2014.

Below are examples of the types of changes that may occur under the Plan and the duties under the Act for the agencies and designated employees who are affected.

Scenario 1:

A department is moving from a current agency to another new or existing agency. Employees transferring to another agency with no material change in job duties should continue to file annual statements. No assuming or leaving office statements are required. (FPPC Advice letter I-05-148)

Example:

The Film Commission is moving from BTH to GoBiz. BTH will be renamed Transportation Agency. The commission members will not be required to file an assuming or leaving office Form 700 because of the agency reorganization change.

If there is a substantive change in job duties, please contact the FPPC for advice.

advice@fppc.ca.gov
1.866.275.3772 or 916.322.5660
www.fppc.ca.gov
July 2, 2013

Scenario 2:

A state agency is being renamed. Some of its divisions will be moved to other agencies and other divisions, including employees, will remain with the agency. The job duties will not change for the employees who are staying with the renamed agency. The employees do not need to file assuming or leaving office statements because of an agency name change.

Example:

BTH will become the Transportation Agency. Some of BTH's employees will continue on once the reorganization occurs. These employees will continue to file annual statements. BTH must amend its code to reflect the new name, among other things.

If there is a substantive change in job duties, please contact the FPPC for advice.

Maintenance of records:

Historical 700s filed by individuals should be retained at the agency for which the employee will be assigned under the Plan. A courtesy copy may be retained at the former agency.

For questions or scenarios not covered above, contact FPPC at advice@fppc.ca.gov.